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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

SAMUEL LEE WASHINGTON,

Defendant and Appellant.

B290912

(Los Angeles County
Super. Ct. No. VA141319)

APPEAL from a judgment of the Superior Court of Los Angeles County, David C. Brougham, Judge. Affirmed.

Stanley Dale Radtke, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

In 2016, Samuel Lee Washington pleaded no contest to a charge of felony violation of Penal Code section 21310, carrying a dirk or dagger. The trial court ordered that execution of sentence be suspended and placed Washington on three years of probation. As a condition of probation, the court ordered Washington to serve 180 days in county jail. The court awarded him 38 days of actual custody credit and 38 days of conduct credit, for a total of 76 days.

In 2017, Washington argued with and pushed his girlfriend. When advised he was under arrest for spousal battery (Pen. Code, § 243, subd. (e)(1)), he resisted arrest by going limp and falling to the ground, then struggled with police for 30 minutes, challenged them to fight, spat at them, and attempted to kick out a patrol car window. He was charged with resisting arrest. (Pen. Code, § 148, subd. (a)(1).)

At a contested probation revocation hearing the trial court found Washington was in violation of his probation. The court terminated his probation and imposed the upper term of a three-year prison sentence, to be served in county jail, and awarded him 34 days of actual custody credit, an additional 34 days of conduct credit, plus 306 days from his initial commitment, for a total of 374 days.

Washington timely appealed.

We appointed counsel to represent Washington on appeal. After examination of the record, appointed counsel filed an opening brief raising no issues and asking this court to review the record independently. (*People v. Wende* (1979) 25 Cal.3d 436, 441-442.) On November 20, 2018, we sent letters to Washington and appointed counsel, directing counsel to immediately forward the appellate record to Washington and advising Washington

that within 30 days he could personally submit any contentions or issues that he wished us to consider. He has not responded.

We have examined the entire record and find no arguable issue exists. We are therefore satisfied that Washington's attorney complied with his responsibilities. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The judgment is affirmed.

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CHANNEY, J.

We concur:

ROTHSCHILD, P. J.

BENDIX, J.